

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

vs

ALEX DELGADO-FIGUEROA

Defendant

CRIMINAL 06-0327CCC

O R D E R

Having considered defendant's Second Motion to Compel Discovery filed on January 12, 2007 (**docket entry 28**) requesting any fingerprint reports prepared regarding the firearm described in the indictment and, pursuant to Fed.R.Crim.P. 16(a)(1)(B)(ii), the portion of any written record containing the substance of any oral statement made before or after arrest if defendant made it in response to interrogation by a person known to defendant to be a government agent, the government's opposition (**docket entry 30**), defendant's reply (**docket entry 34**) and the government's responses (**docket entries 45 and 48**),¹ the Court RULES as follows:

(1) The United States having represented that after due inquiry no fingerprints analysis exist, said request for disclosure is DENIED.

(2) The government will produce pursuant to the Rule cited above the portion of any written record containing the substance of defendant's oral statement, already provided by the government although in a different form than that which the rule specifies, or the portion of any written record containing any other oral statement(s) made before or after arrest by defendant

¹ In its responses, the government incorrectly cites Fed.R.Crim.P. 16(a)(1)(A) as the one that defendant relies on instead of the relevant provision which is Fed.R.Crim.P. 16(a)(1)(B)(ii).

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in response to questions by a person known to him to be a government agent, even if not already disclosed by the government's attorneys. The relevant portions of such records shall be disclosed by MARCH 12, 2007.

SO ORDERED.

At San Juan, Puerto Rico, on February 21, 2007.

S/CARMEN CONSUELO CEREZO
United States District Judge